

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA

FILED

DEC 30 2009

JOHN F. CONGOREN, CLERK  
BY: *[Signature]*

DEPUTY CLERK

EQUITY IN ATHLETICS, INC., )  
)  
Plaintiff, ) Civil Action No. 5:07CV00028  
)  
v. ) **FINAL ORDER**  
)  
DEPARTMENT OF EDUCATION, et al., ) By: Hon. Glen E. Conrad  
) United States District Judge  
Defendants. )

For the reasons stated in the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The defendants' motions to dismiss shall be and hereby are **GRANTED**;
2. The plaintiff's motion for summary judgment shall be and hereby is **DISMISSED AS MOOT**; and
3. This action shall be and hereby is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 30<sup>th</sup> day of December, 2009.

*[Signature]*

United States District Judge